

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |                                       |
|---|---------------------------------------|
| In re application of:                   | ) Examiner: Elizabeth Kemmerer        |
|   | )                                     |
| Avi J. Ashkenazi, et al.                | ) Art Unit: 1646                      |
|   | )                                     |
| Application Serial No. 09/941,992       | ) Confirmation No: 8312               |
|   | )                                     |
| Filed: August 28, 2001                  | ) Attorney's Docket No. GNE-2730 P1C1 |
|   | )                                     |
| For: Secreted and transmembrane         | ) <b>Customer No. 35489</b>           |
| polypeptides and nucleic acids encoding |                                       |
| the same                                |                                       |

---

**FILED BY EFS ON FEBRUARY 14, 2011**

**Petition for Revival of a Patent Application Under 37 CFR §1.137(b)**

**MAIL STOP PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir or Madam:

**Applicants request that this petition be considered with several other petitions in applications that are related to this patent application. Recently, petitions concerning the revival of an abandoned application to correct priority due to an unintentional delay and/or petitions to correct priority due to an unintentional delay were filed in the following applications:**

**Reissue Application Serial No. 12/685,621 of U.S. Patent No. 6,740,520 (petition filed 2/14/11)**

**Application Serial No. 09/380,137 (now abandoned) (petition filed 2/11/11)**

**International Application PCT/US00/08439 (petition filed 2/14/11)**

**Application Serial No. 10/700,992 (now abandoned) (petition filed 2/14/11)**

**In the interest of efficiency, it is requested that all these petitions be considered concurrently since they concern related applications.**

Applicants hereby petition for revival of the above-captioned patent application under 37 C.F.R. §1.137(b). Applicants seek to amend the priority claim in Appln. Serial No. 09/941,992 to reflect additional priority data determined by Applicants, pursuant to 37 C.F.R. §1.78(a)(3) and (a)(6). Therefore, by way of this Petition, Applicants seek to revive the above-captioned application solely for the purpose of amending the priority claim to reflect the data submitted in the Amendment attached hereto as Exhibit A (the “Amendment”). Applicants note that the Amendment merely corrects the form of the priority claim in the above-captioned application to comply with the requirements of 37 C.F.R. § 1.78(a)(2) and (a)(5).

In light of the above, revival of the above-captioned application is respectfully requested solely for the purpose of entering the Amendment. Further, Applicants respectfully request that the above-captioned application be expressly abandoned upon entry of the Amendment.

Applicants respectfully submit that the entire delay between the date the claim was due under 37 CFR §1.78(a)(2) and 37 CFR §1.78(a)(5), and the date the claim was filed was unintentional.

In summary, Applicants hereby petition for revival of the above-identified application and correction of the priority claim as indicated in the Amendment of Exhibit A.

The Commissioner is authorized to charge any applicable fees for this Petition to Deposit Account No. **50-2387 (24126.197)**, referencing Attorney's Docket No. **GNE-2730 P1C1 US**. Such payment is believed to be in the amount of \$1,620.00 for the petition fee required by 37 C.F.R. §1.17(m). Authorization to charge the official fee under 37 C.F.R. § 1.17(m) for this Petition is given in the accompanying transmittal letter. If needed, authorization for any additional official fees under 37 C.F.R. § 1.17(t) for amending a priority claim is also provided.

Please direct any calls in connection with this application to the undersigned at the number provided below.

Respectfully submitted,

Arnold & Porter LLP

Date: February 14, 2011

By: /Jeffery P. Bernhardt/

Jeffery P. Bernhardt (Reg. No. 54,997)

ARNOLD & PORTER LLP  
555 Twelfth Street, NW  
Washington, D.C. 20004-1206  
Telephone: +1 202.942.5000  
Facsimile: +1 202.942.5999  
Direct Line: +1 415 356 3027

**Exhibit A**

**Amendments to the Specification**

Please replace the paragraph with the heading “RELATED APPLICATIONS” on page 1 of the specification with the following paragraph:

--The present application is a continuation of, and claims priority under 35 U.S.C. §120 to PCT Application PCT/US00/08439 filed on March 30, 2000, which claims priority under 35 U.S.C. §119 to U.S. Provisional Application 61/141,037 filed June 23, 1999; where PCT/US00/08439 is a continuation-in-part of, and claims priority under 35 U.S.C. §120 to, U.S. Application No. 09/380,137 filed August 25, 1999, which is the National Stage of International Application No. PCT/US99/12252, filed June 2, 1999, which claims benefit of U.S. Provisional Application No. 60/092,182, filed July 9, 1998.--